IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

Bail Appl..No. 7572 of 2006()

CP.7/2006 of J.M.F.C., KATTAPPANA

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PETITIONER/ACCUSED

ALIAMMA, W/O. DEVASIA,
MADATHIL PARAMBIL HOUSE, MURIKKATTUKUDY,
AYYAPPANCOIL VILLAGE, IDUKKI DISTRICT.

BY ADV. SRI.JOICE GEORGE

RESPONDENTS: COMPLAINANT

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1. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

2. THE EXCISE INSPECTOR,
EXCISE RANGE OFFICE, KATTAPPANA.

BY PUBLIC PROSECUTOR SRI. K.S. SIVAKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

Bail Application No. 7572 of 2006

DATED: 21st December , 2006

O R D E R

Petitioner, a lady, who is the sole accused in Crime No.63 of 2002 of Kattappana Excise Range for offences punishable under Secs. 8(1) and 8(2) of the Abkari Act for having been found in possession of 1.2 liters of illicit arrack on 9-9-2002, seeks anticipatory bail.

2. Admittedly, consequent on the non-appearance of the petitioner before the committal court namely, J.F.C.M., Kattappana in C.P. 7/2006 non-bailable warrants of arrest are pending against her. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. It is for the petitioner to seek regular bail after surrendering before the concerned Magistrate's Court. Accordingly, if the petitioner surrenders before the magistrate court and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same day on which it is filed.

With the above observation this application is dismissed.

V.RAMKUMAR,
JUDGE.

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